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8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA
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11 ALFRED CROWDER) Case No. CV 18-3086 R(JC)
12 Petitioner,)
13 v.) ORDER ACCEPTING FINDINGS,
14 DEBBIE ASUNCION, et al.,) CONCLUSIONS, AND
15) RECOMMENDATIONS OF UNITED
16 Respondents.) STATES MAGISTRATE JUDGE

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18 Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition for Writ of
19 Habeas Corpus (“Petition”), the Motion to Dismiss the Petition and all documents
20 submitted by the parties in conjunction therewith and all of the records herein,
21 including the January 7, 2019 Report and Recommendation of United States
22 Magistrate Judge (“Report and Recommendation”). The Court approves and
23 accepts the Report and Recommendation.

24 THE COURT HEREBY FINDS that Ground 1a1 (to the extent predicated
25 on Grounds 2g1 and 2g2) and Grounds 1a2, 1b, 1c, 2g1 and 2g2 (as enumerated in
26 the Report and Recommendation) (“Unexhausted Claims”) are unexhausted and
27 that the Petition is “mixed.”

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1 THE COURT HEREBY ORDERS: (1) Unless petitioner seeks to amend the
2 Petition to delete the Unexhausted Claims within fourteen (14) days of the entry of
3 this Order, the Motion to Dismiss is granted, the Petition and this action are
4 dismissed, and the Clerk shall enter judgment accordingly thirty (30) days from the
5 entry of this Order absent further order of the Court; and (2) If petitioner timely
6 seeks to amend the Petition to delete the Unexhausted Claims, the Petition is
7 amended to delete the Unexhausted Claims, the Motion to Dismiss is denied as
8 moot, and respondent shall file a response to the remaining exhausted claims
9 (Ground 1a1 (to the extent predicated on Grounds 2a-2f and 2g3-2g5), Grounds 2a-
10 2f and 2g3-2g5, and Grounds 3a-3c) (as enumerated in the Report and
11 Recommendation) within (30) days of the entry of this Order absent further order
12 of the Court.

13 IT IS FURTHER ORDERED that the Clerk serve copies of this Order and
14 any judgment on petitioner and counsel for respondents.

15 IT IS SO ORDERED.

16 DATED: February 19, 2019

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20 HONORABLE MANUEL L. REAL
21 UNITED STATES DISTRICT JUDGE
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